

## Ruiz trial moved to Spokane County

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PASCO -- Vicente Ruiz's third trial is moving to Spokane County.

A Franklin County judge announced Friday that of the two counties with courtroom availability during the scheduled trial date, Spokane is the better and less expensive option given its proximity to the Tri-Cities and to a major airport for attorneys and witnesses.

However, the start date will move back one day to accommodate Spokane County Superior Court's own jury trials.

Ruiz, 45, now goes to trial Nov. 9 on five counts of aggravated first-degree murder and one count of first-degree attempted murder.

The Franklin County Superior Court case stems from the 1987 shooting of six men inside Medina's Body Shop in Pasco. One of the victims survived.

Ruiz's cousin, Pedro Mendez-Reyna, is serving a life sentence for his role in the crime after pointing the finger at his cousin.

Ruiz, who has been in custody since September 2006, maintains his innocence and claims it may have been another person, like his brother, who is said to be nearly identical in appearance.

He first went on trial in 2008 on the murder charges. That ended in a mistrial, before the jury was even picked, when further DNA testing was requested on a straw hat in evidence.

His second trial started April 19 with jury selection. A jury was seated May 10, but the first testimony wasn't presented until June 7 because of appeals by the defense seeking to have the jury pool scrapped.

Then on June 22, Judge Cameron Mitchell ruled that stacks of police reports the defense never received could be favorable to Ruiz, and granted lawyers time to investigate the new evidence. While Mitchell said he was concerned the documents previously were not handed over, he added that there was no evidence prosecutors had been aware of this evidence at the Pasco police station and chose not to provide it to the defense.

Mitchell in July granted a defense motion to try the case in a new venue because of extensive media coverage of the 23-year-old case and concerns that the court would not be able to seat an unbiased Franklin County jury.

Since then, Superior Court administrators have been trying to find a courthouse with courtroom space for the trial, which is expected to last at least six weeks. There were no favorable responses as of earlier this month.

But Friday, Mitchell said both Spokane and Thurston County had space to start the trial in November. He added that Walla Walla County would be able to accommodate jury selection in January or February, with the understanding that jurors then would be bused daily to Pasco for trial.

Prosecutors had sought to keep the trial in Franklin County, with a jury panel brought in from a neighboring county.

Deputy Prosecutor Brian Hultgrenn said they preferred the Walla Walla option, adding that even though the state has objected to delays in the case, they would be OK with waiting until early 2011. He said it would be easier to bring witnesses and experts to Pasco, where the lawyers also have their offices, than traveling to another area.

Hultgrenn said Spokane was their second choice. Thurston would be more difficult because the county seat of Olympia is not near a major airport, and witnesses would have to drive a long distance and likely end up staying overnight, he said.

Attorney Bob Thompson said from a "logistics standpoint" the defense liked Spokane of the three choices.

"Thurston County has been very willing to accommodate us," said Mitchell, noting that the county jail had even offered to house Ruiz for the trial duration at no charge. But he added that, like Hultgrenn, he thinks the locale would be "less desirable" for witnesses dealing with heavy traffic and would increase the travel costs for all parties involved.

Going to Walla Walla and busing the jurors "would be financially more economical," he said, but it also would become a hardship on jurors who would face long days in what likely would be "less-than-ideal travel situations."

"Spokane is best," Mitchell said. He noted there actually may be cheaper airfares into Spokane for out-of-state witnesses than into Franklin County.

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